

**REMARKS**

In response to the Final Official Action mailed December 16, 2005, Applicants amend their application and request reconsideration. In this Amendment, no claims are added and claims 2-6, 8, 12-16, 18, 22-26, and 28 are canceled without prejudice, so that claims 1, 7, 9-11, 17, 19-21, and 27-30 remain pending. No new matter has been added.

Claim 1 has been amended to incorporate the subject matter of dependent claims 2-6, which are now canceled. Claim 11 has been amended to incorporate the subject matter of dependent claims 12-16, which are now canceled. Claim 21 has been amended to incorporate the subject matter of dependent claims 22-26, which are now canceled. Claims 7, 9, 10, 17, 19, 20, 27, and 30 are amended for conformity.

In the Interview Summary for the telephonic interview of May 2, 2006, the Examiner indicates that an agreement with respect to the claims was reached. Applicants note for the record that an agreement was not reached. Applicants were merely informed that an Advisory Action would be issued, and argued that one should not be issued.

**I. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 1-30 are rejected under 35 U.S.C. § 102(a) as being anticipated by *Beizer* et al. (U.S. Patent No. 6,240,414, hereinafter “*Beizer*”). That rejection is respectfully traversed.

Applicants respectfully submit that *Beizer* does not anticipate amended claim 1. To anticipate a claim, the reference must teach every element of the claim. MPEP § 2131. *Beizer* fails to meet this stringent test. For example, *Beizer* fails to teach that server or client operations are translated back up a conflict list across previous server or client operations. The Examiner contends that *Beizer* teaches these limitations, in reference to now canceled claims 5 and 6, at column 4, lines 27-30 and Figure 4 and its description. However, no portion of *Beizer* says

anything of “translating” back up a conflict list across all “previous operations.” *Beizer* simply does not support the Examiner’s contention. Thus, for at least this reason, *Beizer* fails to anticipate amended claim 1.

In the Advisory Action mailed May 19, 2006, the Examiner asserts that “translated back up a conflict list” is not clear. In response, Applicants submit that this subject matter is clearly described in illustrative examples in Applicants’ specification, for example, at page 13, line 22 to page 14, line 26. *Beizer* fails to teach anything that discloses or suggests this subject matter.

Accordingly, *Beizer* fails to anticipate amended claim 1 or its dependent claims. Because amended claims 11 and 21 recite limitations similar to amended claim 1, claims 11 and 21 and their dependent claims are not anticipated by *Beizer* for at least the same reasons.

With regard to claim 7, *Beizer* further fails to teach that if a translation is “a rename or a reparent of an ancestor of [an] object in the tree, [a] winning operation is translated to refer to the object using its new lineage.” The Examiner asserts “[i]n *Beizer*’s reconciliation process, the winning operation is rename/reparent, and a new lineage is thus applied to the winning file.” Page 5 of the Official Action. However, the Examiner provides no support for that assertion. In fact, the Examiner’s assertion is not supported by *Beizer*. *Beizer* teaches nothing similar to that limitation. Applicants note that *Beizer* makes no reference to a rename or reparent of an ancestor, nor does *Beizer* say anything of applying a new lineage. Thus, for at least this reason, *Beizer* fails to anticipate amended claim 7. Claims 17 and 27 recited similar limitations and are therefore patentable for at least the same reasons.

Amendment  
Application No. 10/023,378

**II. Conclusion**

In view of the above amendments and remarks, Applicants submit that all claims are allowable over the cited prior art and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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By:



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